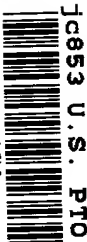


09/27/01



JCESS U.S. PTO

Please type a plus sign (+) inside this box ☐ [+]

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Approved for use through 10/31/2002. OMB 0651-0032

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

Only for new nonprovisional applications under 37 CFR 1.53(b)

Attorney Docket No.:

IDF 1749 (4000-05900)

First Inventor or Application Identifier

Douglas W. Clark, et al.

Title

**METHOD AND APPARATUS FOR NETWORK-LEVEL
MONITORING OF QUEUE-BASED MESSAGING
SYSTEMS**

Express Mail Label No.

EL 921453709 US

I. APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g. PTO/SB17)
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See (Submit an original, and a duplicate for fee processing)
3. ☒ Specification [Total Pages]: **58**
(preferred arrangement set forth below)
- Descriptive title of the invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claims(s)
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) Total Sheets: **4**
5. ☒ Oath or Declaration Total Pages: **2**
a. ☒ Newly executed (original or copy)
b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
Named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO: Commissioner for Patents
Box Patent Application
Washington, DC 20231**

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer
Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☐ paper
- c. ☐ Statements verifying identity of above copies)

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C. FR 3.73(b) Statement [] Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449
☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i)
Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Prior application information: Examiner: _____ Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19 CORRESPONDENCE ADDRESS☐ Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) **21396** or ☒ Correspondence address below

NAME Steven J. Funk

ADDRESS Sprint Law Department

8140 Ward Parkway

CITY Kansas City STATE Missouri ZIP CODE 64114

COUNTRY USA TELEPHONE 913-624-6828 FAX 913-624-6388

Name (Print Type) Michael W. Piper

Registration No. (Attorney/Agent) **39,800**

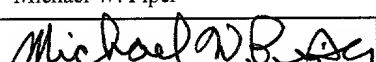
Signature

Date. September 27, 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL FY 2000 Patent fees are subject to annual revision.		Complete if Known	
		Application Number	Not Yet Assigned
		Filing Date	Concurrently Herewith
		First Named Inventor	Douglas W. Clark, et al.
		Group Art Unit	Not Yet Known
		Examiner Name	Not Yet Known
TOTAL AMOUNT OF PAYMENT	(\$ 790.00)	Attorney Docket Number	IDF 1749 (4000-05900)

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																					
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account No.: 21-0765 Deposit Account Name: Sprint <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>\$</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td>\$</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td>\$</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexam</td><td>\$</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td>\$</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td>\$</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within 1st month</td><td>\$</td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within 2nd month</td><td>\$</td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension to reply within 3rd month</td><td>\$</td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension to reply within 4th month</td><td>\$</td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension to reply within 5th month</td><td>\$</td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td>\$</td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td>\$</td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td>\$</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td>\$</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td>\$</td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive - unintentional</td><td>\$</td></tr> <tr><td>142</td><td>1,210</td><td>242</td><td>605</td><td>Utility issue fee (or reissue)</td><td>\$</td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Design issue fee</td><td>\$</td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Plant issue fee</td><td>\$</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td>\$</td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional apps.</td><td>\$</td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Dis Stmt.</td><td>\$</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>\$</td></tr> <tr><td>146</td><td>690</td><td>246</td><td>345</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td>\$</td></tr> <tr><td>149</td><td>690</td><td>249</td><td>345</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td>\$</td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td>\$</td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td>\$</td></tr> <tr><td colspan="5">*Reduced by Basic Filing Fee Paid SUBTOTAL (3)</td><td>\$ 0.00</td></tr> </tbody> </table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	\$	127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$	139	130	139	130	Non-English specification	\$	147	2,520	147	2,520	For filing a request for reexam	\$	112	920*	112	920*	Requesting publication of SIR prior to Examiner action	\$	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	\$	115	110	215	55	Extension for reply within 1st month	\$	116	390	216	195	Extension for reply within 2nd month	\$	117	890	217	445	Extension to reply within 3rd month	\$	118	1,390	218	695	Extension to reply within 4th month	\$	128	1,890	228	945	Extension to reply within 5th month	\$	119	310	219	155	Notice of Appeal	\$	120	310	220	155	Filing a brief in support of an appeal	\$	121	270	221	135	Request for oral hearing	\$	138	1,510	138	1,510	Petition to institute a public use proceeding	\$	140	110	240	55	Petition to revive - unavoidable	\$	141	1,240	241	620	Petition to revive - unintentional	\$	142	1,210	242	605	Utility issue fee (or reissue)	\$	143	440	243	220	Design issue fee	\$	144	600	244	300	Plant issue fee	\$	122	130	122	130	Petitions to the Commissioner	\$	123	50	123	50	Petitions related to provisional apps.	\$	126	180	126	180	Submission of Information Dis Stmt.	\$	581	40	581	40	Recording each patent assignment per property (times number of properties)	\$	146	690	246	345	Filing a submission after final rejection (37 CFR 1.129(a))	\$	149	690	249	345	For each additional invention to be examined (37 CFR 1.129(b))	\$	Other fee (specify) _____					\$	Other fee (specify) _____					\$	*Reduced by Basic Filing Fee Paid SUBTOTAL (3)					\$ 0.00
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																		
105	130	205	65	Surcharge - late filing fee or oath	\$																																																																																																																																																																																		
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$																																																																																																																																																																																		
139	130	139	130	Non-English specification	\$																																																																																																																																																																																		
147	2,520	147	2,520	For filing a request for reexam	\$																																																																																																																																																																																		
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	\$																																																																																																																																																																																		
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	\$																																																																																																																																																																																		
115	110	215	55	Extension for reply within 1st month	\$																																																																																																																																																																																		
116	390	216	195	Extension for reply within 2nd month	\$																																																																																																																																																																																		
117	890	217	445	Extension to reply within 3rd month	\$																																																																																																																																																																																		
118	1,390	218	695	Extension to reply within 4th month	\$																																																																																																																																																																																		
128	1,890	228	945	Extension to reply within 5th month	\$																																																																																																																																																																																		
119	310	219	155	Notice of Appeal	\$																																																																																																																																																																																		
120	310	220	155	Filing a brief in support of an appeal	\$																																																																																																																																																																																		
121	270	221	135	Request for oral hearing	\$																																																																																																																																																																																		
138	1,510	138	1,510	Petition to institute a public use proceeding	\$																																																																																																																																																																																		
140	110	240	55	Petition to revive - unavoidable	\$																																																																																																																																																																																		
141	1,240	241	620	Petition to revive - unintentional	\$																																																																																																																																																																																		
142	1,210	242	605	Utility issue fee (or reissue)	\$																																																																																																																																																																																		
143	440	243	220	Design issue fee	\$																																																																																																																																																																																		
144	600	244	300	Plant issue fee	\$																																																																																																																																																																																		
122	130	122	130	Petitions to the Commissioner	\$																																																																																																																																																																																		
123	50	123	50	Petitions related to provisional apps.	\$																																																																																																																																																																																		
126	180	126	180	Submission of Information Dis Stmt.	\$																																																																																																																																																																																		
581	40	581	40	Recording each patent assignment per property (times number of properties)	\$																																																																																																																																																																																		
146	690	246	345	Filing a submission after final rejection (37 CFR 1.129(a))	\$																																																																																																																																																																																		
149	690	249	345	For each additional invention to be examined (37 CFR 1.129(b))	\$																																																																																																																																																																																		
Other fee (specify) _____					\$																																																																																																																																																																																		
Other fee (specify) _____					\$																																																																																																																																																																																		
*Reduced by Basic Filing Fee Paid SUBTOTAL (3)					\$ 0.00																																																																																																																																																																																		
FEE CALCULATION 1. BASIC FILING FEE <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>101</td><td>710</td><td>201</td><td>355</td><td>Utility filing fee</td><td>\$</td></tr> <tr><td>106</td><td>320</td><td>206</td><td>160</td><td>Design filing fee</td><td>\$</td></tr> <tr><td>107</td><td>490</td><td>207</td><td>245</td><td>Plant filing fee</td><td>\$</td></tr> <tr><td>108</td><td>710</td><td>208</td><td>355</td><td>Reissue filing fee</td><td>\$</td></tr> <tr><td>114</td><td>150</td><td>214</td><td>75</td><td>Provisional filing fee</td><td>\$</td></tr> <tr><td colspan="5">SUBTOTAL (1)</td><td>\$ 710.00</td></tr> </tbody> </table> 2. EXTRA CLAIM FEES <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td><td>\$</td></tr> <tr><td>102</td><td>80</td><td>202</td><td>40</td><td>Independent claims in excess of 3</td><td>\$</td></tr> <tr><td>104</td><td>270</td><td>204</td><td>135</td><td>Multiple dependent claim</td><td>\$</td></tr> <tr><td>109</td><td>80</td><td>209</td><td>40</td><td>Reissue independent claims over original patent</td><td>\$</td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>Reissue claims in excess of 20 and over original patent</td><td>\$</td></tr> <tr><td colspan="5">SUB TOTAL (2)</td><td>\$ 80.00</td></tr> </tbody> </table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	710	201	355	Utility filing fee	\$	106	320	206	160	Design filing fee	\$	107	490	207	245	Plant filing fee	\$	108	710	208	355	Reissue filing fee	\$	114	150	214	75	Provisional filing fee	\$	SUBTOTAL (1)					\$ 710.00	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	103	18	203	9	Claims in excess of 20	\$	102	80	202	40	Independent claims in excess of 3	\$	104	270	204	135	Multiple dependent claim	\$	109	80	209	40	Reissue independent claims over original patent	\$	110	18	210	9	Reissue claims in excess of 20 and over original patent	\$	SUB TOTAL (2)					\$ 80.00																																																																																																		
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																		
101	710	201	355	Utility filing fee	\$																																																																																																																																																																																		
106	320	206	160	Design filing fee	\$																																																																																																																																																																																		
107	490	207	245	Plant filing fee	\$																																																																																																																																																																																		
108	710	208	355	Reissue filing fee	\$																																																																																																																																																																																		
114	150	214	75	Provisional filing fee	\$																																																																																																																																																																																		
SUBTOTAL (1)					\$ 710.00																																																																																																																																																																																		
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																		
103	18	203	9	Claims in excess of 20	\$																																																																																																																																																																																		
102	80	202	40	Independent claims in excess of 3	\$																																																																																																																																																																																		
104	270	204	135	Multiple dependent claim	\$																																																																																																																																																																																		
109	80	209	40	Reissue independent claims over original patent	\$																																																																																																																																																																																		
110	18	210	9	Reissue claims in excess of 20 and over original patent	\$																																																																																																																																																																																		
SUB TOTAL (2)					\$ 80.00																																																																																																																																																																																		

SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name		Michael W. Piper		Registration Number 39,800	
Signature				Date September 27, 2001 Deposit Account User ID	

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor :		Douglas W. Clark, et al.
	Title:	METHOD AND APPARATUS FOR NETWORK- LEVEL MONITORING OF QUEUE-BASED MESSAGING SYSTEMS	
	Attorney Docket Number		IDF 1749 (4000-05900)
	Express Mail Label No.		EL 921453709 US

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

9/27/2001
Date

Michael W. Piper
Signature
Michael W. Piper
Registration Number 39,800

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**